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SENATE

{ REPORT
No. 803

ALBERT GOLDMAN

SEPTEMBER 24 (legislative day, SEPTEMBER 19), 1951.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1686]

The Committee on the Judiciary, to which was referred the bill (S. 1686) for the relief of Albert Goldman, postmaster at New York, N. Y., having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

The purpose of this bill is to relieve Albert Goldman, postmaster at New York, N. Y. of all liability to refund to the United States the sum of \$23,748.66, which sum represents a shortage in his money-order account due to loss of official funds in the sinking of the U. S. S. *Hugh L. Scott* by enemy action on November 12, 1942, and to authorize the Secretary of the Treasury to pay said sum to the credit of the Postmaster General's money-order account (symbol No. 48-050).

STATEMENT

The U. S. S. *Hugh L. Scott* was a naval branch of the New York Post office. The Navy mail clerk aboard that vessel, CM3c H. T. Kreis, United States Navy, was authorized to issue money orders. On November 12, 1942, the ship was sunk by enemy action. At the time of the casualty approximately 365 money orders had been issued by the mail clerk. None of the money received by the clerk for the money orders had been transmitted to the postmaster and the entire amount of the official funds was lost. The total amount of the money orders including fees was \$26,841.56. However, an itemized list of the money orders shows that the paid vouchers for these orders totals

\$23,748.66. None of these orders have been received since 1947 and it may be assumed that no additional orders will be received.

The Postmaster General requests enactment of this bill under the provisions of 39 United States Code 49, which states, in part, "All such claims must be presented within 6 months from the time the loss occurred." While the committee's file on this claim indicates that the postmaster filed his claim on May 18, 1943, it appears that the postmaster was not cognizant of the loss until December 3, 1942, through a news release by the Navy Department. Although it appears that the postmaster filed his claim more than 6 months from the time the loss occurred, the committee feels, in view of the circumstances, that this claim should be allowed.

A list of the money orders lost together with supporting correspondence is in the file of this committee. The letter from the Postmaster General, dated May 23, 1951, to the President of the United States Senate, and a copy of the claim filed by the postmaster are included herewith and made a part of this report.

OFFICE OF THE POSTMASTER GENERAL,
Washington 25, D. C., May 23, 1951.

Hon. ALBEN W. BARKLEY,
President of the United States Senate.

DEAR MR. PRESIDENT: There is transmitted a draft of proposed legislation for the relief of Albert Goldman, postmaster at New York, N. Y., under the provisions of 39 United States Code 49 and the appropriation of funds in the amount of \$23,748.66, representing official funds lost in the sinking of the U. S. S. *Hugh L. Scott*, a branch of the New York Post Office, on November 12, 1942.

There are also transmitted copies of pertinent papers in the files of the Department which show that the Navy mail clerk on this vessel was authorized to issue money orders and that at the time of the sinking, he had issued money orders Nos. 1 to 365, inclusive, which he claimed amounted to \$26,841.56, including fees. However, an itemized list herewith shows that the paid vouchers for these orders have been received and tabulated, together with the fees on such orders, and that they total \$23,748.66. No part of this amount was received by the postmaster due to the fact that the ship was sunk by enemy action before the money could be dispatched by the Navy mail clerk. Hence, there is a deficiency of this amount in the postmaster's money order account resulting from this casualty.

The Department recommends the enactment of this legislation.

This department has been advised by the Bureau of the Budget that it would have no objection to the presentation of this report to Congress.

Sincerely yours,

V. C. BURKE,
Acting Postmaster General.

AFFIDAVIT

CLAIM FOR CREDIT OR REIMBURSEMENT

(Act of Jan. 21, 1914, as amended by Act of July 2, 1918, and June 18, 1934)

STATE OF NEW YORK,
County of New York. ss:

Personally appeared before me Albert Goldman, who, being duly sworn, deposes and says that he was postmaster at New York, in the county of New York, and State of New York, on the _____ day of November, 1942; that on said date and at about (?) o'clock in the (?) time, as nearly as he can determine, he sustained losses in the amounts and of the character hereinafter set forth; and for which he claims credit; that the said losses did not result from any fault or negligence on

the part of affiant, but from act of war the circumstances of which are fully set forth on page three of this claim; that after the said loss occurred there remained in affiant's possession postage stamps and stamped paper of all kinds and descriptions of the value of \$-----, and no more, and that the amounts so lost are shown by the following calculations:

* * * * * * *

Affiant therefore claims credit or reimbursement for the following amounts, lost as aforesaid, viz: For postage stamps, stamped envelopes, newspaper wrappers, and postal cards, \$-----; for postal funds, \$-----; for money-order funds, \$26,841.56; for postal-savings stamps, \$-----; for postal-savings funds, \$-----; for key-deposit funds, \$-----; for internal-revenue funds and stamps, \$-----; for Federal migratory bird hunting funds and stamps, \$-----; or for such other amounts as may be found justly due h-----.

(Here give details of how loss occurred)

U. S. S. *Hugh L. Scott*, a naval branch of New York Post Office, was lost incident to the landing of troops in North Africa. This information was obtained through a news release by the Navy Department, December 3, 1942.

ALBERT GOLDMAN, *Postmaster*.

Subscribed and sworn to before me this 18th day of May A. D. 1943.

[SEAL]

JOHN A. SULLIVAN, *Notary Public*.

Commission expires March 30, 1945.



